



Entered on Docket
September 23, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegler", is written over a horizontal line.

Hon. Linda B. Riegler
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs
Of Claim Based Entirely Upon Investment
In The Del Valle Livingston Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Del Valle Livingston Loan," ("Del Valle Livingston Loan") [DE 8535] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the

1 disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to
2 repayment by the borrower or from the collateral securing the Del Valle Livingston Loan;
3 and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8535] is sustained; and
6 2. The claims listed on **Exhibit A** attached are disallowed in full because those
7 claims are based entirely upon an investment in the Del Valle Livingston Loan.
8

9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust
Del Valle - Livingston Loan
Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Del Valle - Livingston Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Del Valle - Livingston Loan
10725-02374	1/16/2007	Rothberg, Sheila	21 Randolph Dr Dix Hills, NY 11746	50,000.00	50,000.00
10725-00592	10/16/2006	Sumpolec 1989 Trust Dated 4/13/89	C/O John Sumpolec Jr Trustee 2405 Howard Dr Las Vegas, NV 89104-4224	50,000.00	50,000.00
10725-01554	12/7/2006	Talan, Carole	1299 Kingsbury Grade Gardnerville, NV 89460	56,077.38	56,077.38
10725-01174	11/10/2006	Turok, Noemi N	8808 Rainbow Ridge Dr Las Vegas, NV 89117-5815	150,000.00	150,000.00
10725-00398	10/2/2006	Walls Family Trust Dtd 12/10/97	C/O Joseph P & Ellen Walls Tees 2778 Bedford Way Carson City, NV 89703-4618	200,000.00	200,000.00
10725-00948	11/2/2006	Younger, William & Lisa K	1746 Lake St Huntington Beach, CA 92648	54,876.00	54,876.00

EXHIBIT A